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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/845,574	04/30/2001	James Blaisdell	40101/01301	2228
30636	7590	12/02/2004	EXAMINER	
FAY KAPLUN & MARCIN, LLP 150 BROADWAY, SUITE 702 NEW YORK, NY 10038			YIGDALL, MICHAEL J	
			ART UNIT	PAPER NUMBER
			2122	
DATE MAILED: 12/02/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/845,574

Applicant(s)

BLAISDELL, JAMES

Examiner

Michael J. Yigdal

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

1. Applicant's amendment and response filed on August 2, 2004 has been fully considered.

Claims 1-23 remain pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1, 7, 13 and 22 have been considered but are moot in view of the new ground(s) of rejection.

Applicant submits that Leong does not teach populating a dynamic correlation table dynamically or at runtime (Applicant's remarks, pages 9-11). Likewise, Applicant submits that Leong does not teach that the device receiving the correlation is the device to which the variable relates (page 10). However, LeBlanc, and LeBlanc in view of Leong, discloses the limitations now recited in the claims, as amended, as set forth in the claim rejections below.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-11, 13, 15, 16, 20, 22, 23 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Pat. No. 6,332,142 to LeBlanc (art made of record, "LeBlanc" herein).

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With respect to claim 1 (currently amended), LeBlanc discloses a software package (see, for example, column 2, lines 10-25, which shows software on an embedded device), comprising:

(a) a variable describing a state of a device, the variable having an assigned name (see, for example, column 5, lines 26-29, which shows parameters or variables of the device having object identifiers or assigned names, and column 15, lines 45-55, which shows that the variables describe states of the device);

(b) a mapping module including a mapping between the assigned name and a routine, wherein the routine accesses the variable (see, for example, column 6, lines 10-19, which shows an attribute discriminator, i.e. a mapping module, providing a mapping between an assigned name and the routines for controlling or accessing the attribute or variable); and

(c) a dynamic receiving module receiving and storing in a dynamic correlation table, without recompiling the software package, a correlation between a common name for the variable and the assigned name (see, for example, column 16, lines 49-56, which shows a parser, i.e. a dynamic receiving module, parsing a definitions file to receive and store in memory, i.e. in a dynamic correlation table, correlations between string representations or common names of variables and the assigned names, and column 15, line 59 to column 16, line 32, which shows that definitions or correlations may be added at runtime without changing the source code, i.e. without recompiling; also see, for example, column 15, lines 39-44, which shows an example correlation between a common description or name and the assigned name), a request, including the common name of the variable being fulfilled by the software package by consulting the stored correlation in the dynamic correlation table (see, for example, column 18, lines 27-38,

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which shows a method for consulting the stored correlations based on a request that includes the common name of the variable).

With respect to claim 2 (original), LeBlanc further discloses the limitation wherein the variable is a Management Information Base object (see, for example, column 5, lines 26-29, which shows that the parameters or variables are Management Information Base objects).

With respect to claim 3 (original), LeBlanc further discloses the limitation wherein the assigned name is an object identifier (see, for example, column 5, lines 26-29, which shows that the assigned names are object identifiers).

With respect to claim 4 (original), LeBlanc further discloses the limitation wherein the routine is one of a get routine and a set routine (see, for example, column 17, line 61 to column 18, line 17, which shows a get routine for accessing the variable).

With respect to claim 5 (original), LeBlanc further discloses the limitation wherein the correlation is received from an application stored on the device (see, for example, column 5, lines 4-23, which shows that the correlations are received from the parser and definitions file stored on the device).

With respect to claim 6, (original) LeBlanc further discloses the limitation wherein the correlation between the common name for the variable and the assigned name is stored in one of a temporary memory and a permanent memory of the device (see, for example, column 16, lines 49-56, which shows that the correlations are stored in the definitions file, i.e. in a permanent memory, and in a temporary memory of the device).

With respect to claim 7 (currently amended), LeBlanc discloses a method (see, for example, column 2, lines 10-25) comprising the steps of:

(a) receiving, by a device, a correlation between a common name and an assigned name for a variable, the variable describing the state of the device (see, for example, column 16, lines 49-56, which shows receiving, by a parser on a device, correlations between string representations or common names of attributes or variables and the object identifiers, and column 15, lines 39-44, which shows an example correlation between a common description or name of a variable and the object identifier or assigned name; also see, for example, column 15, lines 45-55, which shows that the variables describe states of the device);

(b) storing the correlation in a dynamic correlation table of the device, the storing of the correlation being accomplished without compiling the dynamic correlation table on the device (see, for example, column 16, lines 49-56, which shows storing the correlations in memory, i.e. in a dynamic correlation table, and column 15, line 59 to column 16, line 32, which shows that definitions or correlations may be added at runtime without changing the source code, i.e. without recompiling); and

(c) storing a mapping between the assigned name and a routine, wherein the routine accesses the variable (see, for example, column 6, lines 10-19, which shows providing a mapping between the assigned name and the routines for controlling or accessing the variable).

With respect to claim 8 (original), LeBlanc further discloses the steps of:

(a) receiving a request to access the variable, the request including the common name of the variable (see, for example, column 6, lines 10-19, which shows receiving requests to access

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variables, and column 18, lines 27-38, which shows a method for supporting a request that includes the common name of the variable).

(b) obtaining the assigned name by consulting the stored correlation (see, for example, column 18, lines 27-38, which shows obtaining and returning the assigned name by consulting the stored correlations).

(c) obtaining the routine by consulting the mapping (see, for example, column 17, line 61 to column 18, line 17, which shows obtaining routines to access the variable by consulting the mapping); and

(d) accessing the variable using the routine (see, for example, column 6, lines 10-19, which shows controlling or accessing the variable).

With respect to claim 9 (original), LeBlanc further discloses the limitation wherein the assigned name is an object identifier (see, for example, column 5, lines 26-29, which shows that the assigned names are object identifiers).

With respect to claim 10 (original), LeBlanc further discloses the limitation wherein the routine is one of a set routine and a get routine (see, for example, column 17, line 61 to column 18, line 17, which shows a get routine for accessing the variable).

With respect to claim 11 (original), LeBlanc further discloses the limitation wherein the correlation is received from an application stored on the device (see, for example, column 5, lines 4-23, which shows that the correlations are received from the parser and definitions file stored on the device).

With respect to claim 13 (currently amended), LeBlanc discloses a software package operating on a device (see, for example, column 2, lines 10-25, which shows software on an embedded device), comprising:

(a) a reading module to read software code in a file, the software code including a correlation between a common name and an assigned name for a variable (see, for example, column 5, lines 4-23, which shows an attribute discriminator, i.e. a reading module, reading software code including a definitions file, and column 15, lines 39-44, which shows an example correlation in the definitions file between a common description or name of a variable and the object identifier or assigned name); and

(b) a dynamic correlation module receiving the correlation from the reading module and storing, without recompiling the software package, the correlation in a dynamic correlation table (see, for example, column 16, lines 49-56, which shows a parser, i.e. a dynamic correlation module, storing the correlations in memory, i.e. in a dynamic correlation table, and column 15, line 59 to column 16, line 32, which shows that definitions or correlations may be added at runtime without changing the source code, i.e. without recompiling), wherein the software package fulfills a request to access the variable by accessing the dynamic correlation table (see, for example, column 6, lines 10-19, which shows fulfilling requests to control or access the variable, and column 18, lines 27-38, which shows that requests are fulfilled by accessing the stored correlations).

With respect to claim 15 (currently amended), LeBlanc further discloses the limitation wherein the software code includes the request to access the variable, the reading module forwarding the request to the dynamic correlation module which formats an updated request

using the correlation (see, for example, column 6, lines 10-19, which shows that the software code includes the requests to access variables, and column 18, lines 27-38, which shows a method for forming an updated request based on the correlation).

With respect to claim 16 (original), LeBlanc further discloses the limitation wherein the variable is a management information base object and the assigned name is an object identifier (see, for example, column 5, lines 26-29, which shows that the parameters or variables are Management Information Base objects and that the assigned names are object identifiers).

With respect to claim 20 (original), Leong further discloses a post module receiving an additional request from outside the device to access the variable, the post module forwarding the request to the dynamic correlation module which formats an updated request using the correlation (see, for example, column 5, line 29 to column 6, line 2, and column 6, lines 10-19, which shows receiving requests to access variables from a network management station outside the device, and column 18, lines 27-38, which shows a method for forming an updated request based on the correlation).

With respect to claim 22 (currently amended), LeBlanc discloses a method (see, for example, column 2, lines 10-25), comprising the steps of:

(a) reading software code in a file, the software code including a correlation between a common name and an assigned name for a variable, the variable describing the state of a device (see, for example, column 5, lines 4-23, which shows reading software code including a definitions file, and column 15, lines 39-44, which shows an example correlation in the definitions file between a common description or name of a variable and the object identifier or

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assigned name; also see, for example, column 15, lines 45-55, which shows that the variables describe states of the device); and

(b) dynamically storing the correlation in a dynamic correlation table of the device, without compiling the dynamic correlation table of the device (see, for example, column 16, lines 49-56, which shows storing the correlations in memory, i.e. in a dynamic correlation table, and column 15, line 59 to column 16, line 32, which shows that definitions or correlations may be added at runtime without changing the source code, i.e. without compiling).

With respect to claim 23 (original), Leong further discloses the steps of:

(a) receiving a request to access the variable, the request including the common name of the variable (see, for example, column 6, lines 10-19, which shows receiving requests to access variables, and column 18, lines 27-38, which shows a method for supporting a request that includes the common name of the variable); and

(b) reformatting the request using the dynamically stored correlation (see, for example, column 18, lines 27-38, which shows a method for reformatting the request from the common name to the assigned name based on the correlation).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 12, 14, 17-19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over LeBlanc, as applied to claims 11, 13 and 20 above, respectively, in view of U.S. Pat. No. 5,996,010 to Leong et al. (art of record, "Leong" herein).

With respect to claim 12 (original), although LeBlanc discloses network management stations for accessing the agent software on the device (see, for example, column 2, lines 26-41), LeBlanc does not expressly disclose the limitation wherein the application is a web page.

However, Leong discloses a network management system (see, for example, the abstract) wherein the agent is a web-capable HTML server (see, for example, column 13, lines 20-23). This enables the use of a web browser to perform network management over the Internet (see, for example, column 1, lines 54-58).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to supplement the agent software of LeBlanc with a web page application, such as taught by Leong, for the purpose of enabling network management with a web browser over the Internet.

With respect to claim 14 (original), although LeBlanc discloses that the software code is written in the JAVA programming language (see, for example, column 16, lines 33-42), LeBlanc does not expressly disclose the limitation wherein the file is a web page.

However, Leong discloses a network management system (see, for example, the abstract) wherein the network management functions are displayed as HTML documents or web pages, such as with an applet written in the JAVA programming language (see, for example, column 5,

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lines 47-62). This enables the use of a web browser to perform network management over the Internet (see, for example, column 1, lines 54-58).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the software code of LeBlanc in a web page, such as taught by Leong, for the purpose of enabling network management with a web browser over the Internet.

With respect to claim 17 (original), although LeBlanc discloses streaming data out of the device (see, for example, column 6, lines 10-19), LeBlanc does not expressly disclose a server module receiving the software code from the reading module and streaming the software code out of the device.

However, Leong discloses a network management system (see, for example, the abstract) wherein the agent is a web-capable HTML server (see, for example, column 13, lines 20-23) and the network management functions are displayed as HTML documents or web pages (see, for example, column 5, lines 47-62), such that the code is streamed out over a socket (see, for example, column 12, lines 9-11). This enables the use of a web browser to perform network management over the Internet (see, for example, column 1, lines 54-58).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the software code of LeBlanc in a web page and supplement the agent software of LeBlanc with a server module to stream the software code out of the device, such as taught by Leong, for the purpose of enabling network management with a web browser over the Internet.

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With respect to claim 18 (original), LeBlanc in view of Leong further discloses the limitation wherein the server module includes an HTTP server (see, for example, Leong, column 13, lines 1-5, which shows that the HTML server uses the HTTP protocol).

With respect to claim 19 (original), LeBlanc does not expressly disclose the limitation wherein the reading module includes a CGI get handler.

However, Leong discloses a network management system (see, for example, the abstract) wherein the agent is a web-capable HTML server (see, for example, column 13, lines 20-23) that handles server-side includes (see, for example, column 11, lines 33-40), such as with a Common Gateway Interface or CGI handler (see, for example, column 12, lines 42-45). This enables the use of a web browser to perform network management over the Internet (see, for example, column 1, lines 54-58).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to supplement the agent software of LeBlanc with a CGI get handler, such as taught by Leong, for the purpose of enabling network management with a web browser over the Internet.

With respect to claim 21 (original), LeBlanc does not expressly disclose the limitation wherein the post module is a CGI post handler.

However, Leong discloses a network management system (see, for example, the abstract) wherein the agent is a web-capable HTML server (see, for example, column 13, lines 20-23) that handles server-side includes (see, for example, column 11, lines 33-40), such as with a Common Gateway Interface or CGI handler (see, for example, column 12, lines 42-45). This enables the

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use of a web browser to perform network management over the Internet (see, for example, column 1, lines 54-58).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to supplement the agent software of LeBlanc with a CGI post handler, such as taught by Leong, for the purpose of enabling network management with a web browser over the Internet.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Yigdall whose telephone number is (571) 272-3707. The examiner can normally be reached on Monday through Friday from 7:30am to 4:00pm.

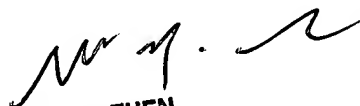
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MY

Michael J. Yigdall
Examiner
Art Unit 2122

mjy


WEI Y. ZHEN
PRIMARY EXAMINER